

Attorney Docket No. 128321.101

REMARKS

The Examiner has restricted claims in the case to two distinct inventions designated as Invention I, claims 1-31 drawn to a microfluidic module and reactor, and Invention II, claims 32-40 drawn to a method of making nanocrystals and purifying nanocrystals.

Applicant respectfully traverses the Restriction Requirement and requests reconsideration. In order to be fully responsive, Applicant has provisionally elected, with traverse, the invention I as defined by claims 1-31. By this election, Applicants do not admit, nor do Applicants waive the right to argue against at a later date, the Examiner's statement that the groups of inventions are patentably distinct. Applicants expressly reserve the right to present the claims of Invention II, or other claims, in one or more divisional, continuation, or continuation-in-part applications at a later date.

Applicant respectfully traverses the Restriction Requirement. The burden is on the Examiner to provide reasonable examples that the process of claims 32-40 can be practiced by another and material different apparatus or by hand.. The crystallizer is not a reasonable example and the Examiner has not shown that the crystallizer can condition nanocrystal forming reagents in flow path channels formed in a substrate making up fluidly connected microfluidic modules where the channels have heat exchangers and mixing structures in the flow path. The Examiner has not shown that the crystallizer adjusts a controllable heat exchanger along the channels in the substrate by monitoring a detectable property of the nanocrystal forming reagents or product in the channels.

In view of the above remarks, Applicants believe that the restriction requirement is not appropriate and that the claims 32-40 should be prosecuted together in the present application. As such, Applicant submits that the application is in condition for examination and allowance on the merits.

This response has been timely filed. Accordingly, no fee is required. In the event that a fee is required for this response, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0436.

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Should the Examiner have any questions or comments, or need any additional information from Applicant's attorney, he is invited to contact the undersigned at his convenience.

Respectfully submitted,



By: _____

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